

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JOSE PORTO CARRERO VIVERO,)
)
Plaintiff,)
)
vs.) NO. CIV-22-0285-HE
)
)
THE GEO GROUP INC.,)
)
Defendant.)

ORDER

Plaintiff filed this § 1983 case alleging that defendant failed to pay him minimum wage in accordance with the Fair Labor Standards Act and Oklahoma's Minimum Wage Act. Pursuant to 28 U.S.C. § 636(b)(1)(B) and (C), the matter was referred to Magistrate Judge Gary M. Purcell for initial proceedings. Judge Purcell ordered plaintiff to supplement his application to proceed *in forma pauperis* or pay the filing fee in this case. Plaintiff responded to the order with another application to proceed IFP, but the application failed to include a required Authorized Prison Official signature.¹ Judge Purcell has issued a Report and Recommendation recommending that plaintiff's complaint be dismissed for failure to comply with the court's order. Plaintiff has failed to object to the Report thereby waiving his right to appellate review of the factual and legal issue contained therein.

Accordingly, the Report and Recommendation [Doc. #5] is **ADOPTED** as follows. Plaintiff is **ORDERED** to pay the complete filing fee within **twenty-one (21) days** of the date of this order. If the filing fee is not paid, this case will be dismissed without prejudice.

¹ *The documents provided also indicate that plaintiff has adequate funds to pay the filing fee.*

IT IS SO ORDERED.

Dated this 7th day of June, 2022.



JOE HEATON
UNITED STATES DISTRICT JUDGE